

WT Docket No. 04-356
WT Docket No. 02-353

To: Office of the Secretary
Federal Communications Commission
Washington, DC 20554

Reply Comment Filed by: Maria Gonzalez
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This statement is submitted in response to the "Comments of Nextel Communications" filed on December 8, 2004, with regard to Federal Communications Commission (FCC) WT Dockets No. 04-356 and No. 02-353. Nextel's comments fail to address the issue of human safety and point only to rules to prevent "harmful interference" between the electronic equipment of competing wireless services providers.

In order to comply with the National Environmental Policy Act (NEPA), FCC must assure that its human RF safety rules "prevent human exposure to potentially unsafe levels of radiofrequency (RF) radiation."

Nextel fails to address that issue with good reason -- direct first-hand experience shows that Nextel's representatives are engaged in misleading the public about the very nature of its electronic equipment installations and in using threats of legal action against property owners to enforce antenna installation contracts when those owners raise questions about safety concerns.

In Great Britain, the UK's Ministry of Health prohibits the placing of wireless transmitters near public schools without advance consent of the parents and teachers after a full technical briefing. Not so in the United States.

The following is a first-hand account of the recent installation of five high frequency wireless transmission antennas directly across the street from PS 122 in Astoria, Queens in New York City, done not only without advance knowledge and consent of the parents and teachers, but with deliberate deception on the part of the telecommunications company as to the nature of the installation.

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My name is Maria Gonzalez. I have been a critical care nurse for 24 years, 20 of those as the assistant critical care coordinator for the Surgical Intensive Care Unit and Trauma Center of a major hospital in New York City, St. Vincent's Hospital and Medical Center. I have seen death in many guises and strongly fear what radiation exposure can do to human cells and the horrible diseases that can result.

At some point around the end of October or the beginning of November, 2004, twelve cell phone antennas were installed on the roof of 21-80 21st Street. This building is located directly across the street from our local elementary school P.S. 122, in Astoria, Queens. Of the twelve antennas, five face directly into the school building. I do not recall the actual installation of the antennas themselves, but several neighbors remember seeing a large truck with a crane and this is how I assume the antennas got onto the roof.

One day as I was picking up my daughters after school I noticed an unmarked white truck in front of the building and several workers working on some large cables. I crossed the street and asked them what they were doing and what those things were up on the roof. One of them very clearly and with a bit of annoyance said to me that they were installing "solar panels" and walked away. Other parents also questioned these workers and were told the same thing. The following week my husband was at the school to pick up the kids and he came home with a flyer that was being given to the parents by a gentleman outside the school. The gentleman worked for Councilmember Peter Vallone Jr., and the flyer was to inform us that cell phone antennas had been installed at the location I mentioned above and that once they were turned on they would be beaming RF radiation into our classrooms.

I have two beautiful, healthy daughters, ages 7 and 12. Both attend the school and both sit in classrooms whose windows face directly at the Nextel antennas. I am extremely concerned and frightened for the safety and long-term health of my children. I do not want to see one single child harmed by the actions of Nextel.

Councilmember Vallone has been in contact with the owner of the building. When informed of our concerns, the owner expressed shock and indicated that he wanted no part of anything that could harm children. He is willing to abrogate the contract. Nextel refuses to do the same. I ran into the owner one day and asked him about the antennas and how he could do this with so many children now being placed in harm's way. I sensed genuine concern on his part. He told me that he did not really know what they were putting up there. He did not know that there is radiation being emitted from these antennas. He has indicated that Nextel did not clearly explain to him the entire situation. He also indicated to me, as he did to Councilmember Vallone, that he would like to break the contract and have the antennas removed from his building but that Nextel will not allow it. The building owner has hired an attorney to represent him in this matter.

Our school is a wonderful school, it is a blue ribbon school and considered one of the top schools in the city. 1300 students ranging in ages from 4 through 12 years old attend the school. The administration, faculty and staff number over 100. As a result of my initial involvement and strong opposition I have become the school and parent and community representative in this matter. Nextel came into our community and without any notification or discussion chose to place these antennas irresponsibly, in close proximity to our school.

The building on which these antennas are situated is 4 stories tall. Our school is 5 stories tall. These antennas will beam RF radiation directly into our 4th floor classrooms. Our children will be subjected to this exposure for 8 hours a day, 5 days a week for many years. Nextel insists the antennas are safe yet can offer no definitive proof. They base their claims on studies which

are outdated and which have been funded by the industry itself. Many other studies, especially from abroad, are raising valid and serious issues and concerns about the long-term health effects of these antennas. Clearly there is doubt here. In such a situation, and especially where it involves children, the obvious thing to do would be to exercise caution.

These antennas should never have been placed near the school and they should now be immediately removed. Serious studies need to be undertaken to determine the effects of these towers on human health. These studies will take time and it is totally unacceptable for anyone to think that we will allow our children to be guinea pigs in the interim. Obviously if 5 or 10 years from now it is determined that there is a safety issue it will be too late for the children who have been exposed for all that time.

We have presented our arguments to Nextel. They claim to be a good corporate citizen yet they continue with the plan to turn the antennas on in total disregard to the wishes of our community and with no concern for the safety of our children.

They claim to have done everything according to the law. What rights do we as citizens and members of a community have when it comes to the placement of cell phone antennas? Apparently, the Telecommunications Act of 1996 preempts many of the arguments we would make in opposition. New York City has shown no real concern in the proliferation that is now taking place.

First and foremost these antennas must be removed from their close proximity to our children. Then the laws need to be changed and we, as citizens need our rights back.

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